

Appl. No. : 10/820,371
Filed : April 8, 2004

REMARKS

Please reconsider the present application in light of the above amendments and the following remarks.

Claims Rewritten In Allowable Form

In the Office Action, the Examiner objected to Claim 17, but indicated that this claim would be allowable if it were rewritten in independent form. Accordingly, Claim 17 has been rewritten into independent form as recommended by the Examiner. Thus, this claim is currently in condition for allowance. Additionally, Claims 2-5 and 8 have been amended to depend from Claim 17, and are now also in condition for allowance.

Claims 18-20 Are Allowable

The Examiner also indicated that Claims 18-20 would be allowable if rewritten to overcome the rejections under 35 U.S.C. § 112. Specifically, the Examiner objected to Claim 18, which recites, in part, that only the thumb-receiving portion comprises a plurality of hinged rigid shell portions, and none of the remaining finger sheaths include a plurality of hinged rigid shell portions. In the Office Action, the Examiner states that Applicants' disclosure has not explicitly excluded other embodiments. Applicants respectfully traverse the Examiner's rejection, and contend that the disclosure supports the limitations recited in Claim 18.

Applicants agree that the disclosure does not explicitly exclude embodiments other than those having the limitations recited in Claim 18. However, Applicants contend that the disclosure clearly discloses an embodiment having the limitations of this claim. For example, Figure 5 illustrates a wearer's hand, and shows a thumb-receiving portion having a rigid thumb shell that is disposed over the thumb of the hand; however, the fingers do not include such a rigid thumb shell. Additionally, with specific reference to paragraphs [0042] and [0043] of the specification and Figure 14, an embodiment is described in which "the backs of the fingers 20" have foam segments 42, an inner liner 44, and an outer cover 46 as illustrated in Figure 14. There is no rigid shell in the fingers in this particular embodiment. Instead, paragraph 43 describes an embodiment in which the foam segments 42 on the fingers 20 curve slightly to imitate a relaxed position of the wearer's hand.

Although other embodiments are not specifically excluded, one embodiment that is clearly contemplated by the disclosure, as indicated in the above discussion, is an embodiment in which none of the fingers have a plurality of hinged rigid shell portions, and only the thumb

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comprises such hinged rigid shell portions. Accordingly, Applicants respectfully request that the Examiner withdraw the rejection of Claim 18.

New Claims

New Claims 22-31 have been added to more fully claim subject matter that Applicants consider to be part of the invention. All of these claims depend from independent Claim 17 and recite additional patentable subject matter. Applicants contend that all of these claims are currently in condition for allowance.

Conclusion

The undersigned has made a good faith effort to respond to the Examiner's objections and rejections as set out in the Office Action mailed September 19, 2005. If any issues remain or if any issues require clarification, the Examiner is respectfully requested to call Applicants' attorney in order to resolve such issue promptly.

Respectfully submitted,

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